

DOCKET SECTION

PRESIDING OFFICER'S
RULING NO. R97-1/67

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268

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POSTAL RATE COMMISSION
DOCKET SECTION

Postal Rate and Fee Changes

Docket No. R97-1

PRESIDING OFFICER'S RULING GRANTING MOTIONS FOR LATE ACCEPTANCE

(November 20, 1997)

The Postal Service has filed several motions for late acceptance of responses to interrogatories and objections to interrogatories directed to the Postal Service as an institution.¹ In the case of the Popkin interrogatories, filed November 6 and November 14, 1997, the Postal Service indicates that the delay in responding was due to the diversity of the subjects covered by the interrogatories and the need to coordinate responses.

The delay in responding to follow-up interrogatories filed by MMA and NAPM was caused by the necessity of coordinating among functional units, coupled with an administrative mix-up in receiving the interrogatories in question. The OCA interrogatories were filed one day out of time due to the need to coordinate a response with Marketing and Finance. I will grant these motions.

¹ United States Postal Service Motion for Late Acceptance of Filing of Response to DFC/USPS-9, filed November 6, 1997; Motion of United States Postal Service for Late Acceptance of Responses to Interrogatories of Major Mailers Association (MMA/USPS-FU-2-8), filed November 17, 1997; Motion of United States Postal Service for Late Acceptance of Responses to NAPM Interrogatory (NAPM/USPS-FOLLOW-UP-1), filed November 17, 1997; United States Postal Service Motion for Late Acceptance of Response to OCA Interrogatory, filed November 14, 1997; United States Postal Service Motion for Late Acceptance of Responses to Interrogatories of David Popkin, filed November 14, 1997; and Motion of United States Postal Service for Late Acceptance of Its Objection to Interrogatories of David B. Popkin (DBP/USPS-88 and 92), filed November 12, 1997.

Presiding Officer's Ruling R97-1/59 (issued November 10, 1997) ruled that the Postal Service was to file responses or objections to interrogatories mailed by intervenor Popkin on October 28, 1997, as though they had been received by the Commission on the date they were received by the Postal Service. The Postal Service filed its objections the next working day after receipt of the Commission's ruling. I will grant the Postal Service's motion for late acceptance of these objections.

The Postal Service filed three motions for late acceptance of responses to interrogatories submitted to Postal Service witnesses Talmo, Smith and Daniel.² Witness Talmo's responses were filed one day out of time, and were forwarded to AMMA counsel via facsimile to mitigate the any prejudice. The responses of witness Smith were filed four days out of time due and were transmitted to ANM counsel via facsimile. Witness Daniel's responses were filed two working days late due as witness Daniel was on official travel from November 2-9, 1997. I will grant these motions.

RULING

1. The United States Postal Service Motion for Late Acceptance of Filing of Response to DFC/USPS-9, filed November 6, 1997, is granted.

2. The Motion of United States Postal Service for Late Acceptance of Responses to Interrogatories of Major Mailers Association (MMA/USPS-FU-2-8), filed November 17, 1997, is granted.

3. The Motion of United States Postal Service for Late Acceptance of Responses to NAPM Interrogatory (NAPM/USPS-FOLLOW-UP-1), filed November 17, 1997, is granted.

² United States Postal Service Motion for Late Acceptance of Responses of Witness Talmo to Interrogatories of the Advertising Mail Marketing Association (AMMA/USPS-LR-H-105-1-4), filed November 7, 1997; United States Postal Service Motion for Late Acceptance of Response of Witness Smith to Interrogatory of Alliance of Nonprofit Mailers (ANM/USPS-ST46-1), filed November 17, 1997; and United States Postal Service Motion for Late Acceptance of Responses to NDMS Interrogatories, filed November 14, 1997.

4. The United States Postal Service Motion for Late Acceptance of Response to OCA Interrogatory, filed November 14, 1997, is granted.

5. The United States Postal Service Motion for Late Acceptance of Responses to Interrogatories of David Popkin, filed November 14, 1997, is granted.

6. The Motion of United States Postal Service for Late Acceptance of Its Objection to Interrogatories of David B. Popkin (DBP/USPS-88 and 92), filed November 12, 1997, is granted.

7. The United States Postal Service Motion for Late Acceptance of Responses of Witness Talmo to Interrogatories of the Advertising Mail Marketing Association (AMMA/USPS-LR-H-105-1-4), filed November 7, 1997, is granted.

8. The United States Postal Service Motion for Late Acceptance of Response of Witness Smith to Interrogatory of Alliance of Nonprofit Mailers (ANM/USPS-ST46-1), filed November 17, 1997, is granted.

9. The United States Postal Service Motion for Late Acceptance of Responses to NDMS Interrogatories, filed November 14, 1997, is granted.

A handwritten signature in black ink, appearing to read 'Edward J. Gleiman', with a long horizontal line extending to the right.

Edward J. Gleiman
Presiding Officer